

State of Montana
Employment Relations Division, Department of Labor and Industry
Workers' Compensation Study Project Phase II
Labor-Management Advisory Council on Workers' Compensation
Project Charter

A. General Information

<i>Project Name:</i>	Workers' Compensation Study Project Phase II: Labor-Management Advisory Council on Workers' Compensation	<i>Date:</i>	January 9, 2007
<i>Controlling Agency:</i>	Employment Relations Division	<i>Modification Date:</i>	April 20, 2007
<i>Prepared by:</i>	Anne Wolfinger	<i>Authorized by:</i>	Keith Kelly

B. Project Purpose

The purpose of the Labor-Management Advisory Council on Workers' Compensation (hereafter, "Advisory Council") is to provide a structure for an organized discussion of workers' compensation public policy, using data and reports collected in Phase I or additional data and/or reports requested by the Advisory Council. The primary outcome of the Advisory Council will be recommendations to the Commissioner of the Department of Labor and Industry for proposed legislation for the 2009 Montana Legislature. A secondary outcome will be recommendations to the Commissioner on proposed legislation in the 2007 legislative session and on rule-making activities concerning workers' compensation during the term of the Advisory Council.

C. Project Objective

Agency Goals	Project Objectives
To provide, without regard to fault, wage loss and medical benefits to a worker suffering from a work-related injury or disease. Wage loss benefits are not intended to make an injured worker whole; they are intended to assist the injured worker at a reasonable cost to the employer. Within that limitation, the wage-loss benefit should bear a reasonable relationship to actual wages as a result of a work-related injury or disease.	To review and understand the current public policy of the Montana workers' compensation system.
To raise the level of awareness of Montana employers and employees about workplace safety and health.	To evaluate the current public policy of the Montana's workers' compensation based on specific and well-defined metrics and research from the Workers' Compensation Study Project Phase I and additional sources.
Claimants should be able to obtain benefits speedily and employers should be able to provide coverage at reasonably constant rates.	To affirm, modify or create public policy on the Montana workers' compensation system.
To return injured workers to work as soon as possible after suffering a work-related injury or disease.	
The system must be designed to minimize reliance upon lawyers and the courts to obtain benefits and interpret liabilities.	

D. Project Scope

Phase I of the Workers' Compensation Study Project identified four key areas for exploration of policy change by the Advisory Council. These are safety issues, medical issues, return-to-work issues and settlement issues. The Advisory Council will focus its activities on these areas. In addition to formulating proposed legislation for the 2009 session of the Montana Legislature, the Advisory Council will review and make recommendations on workers' compensation-related legislation proposed by others during the 2007 Session. It is outside the scope of the project to have the Advisory Council suggest legislation for the 2007 Session.

Project scope decisions will be made by the Advisory Council within the parameters of the agency order. Subsequent modifications to the project scope will require a formal motion and vote by the Advisory Council.

E. Project Authority

• Project Sponsor

Project sponsor: Keith Kelly

The Labor-Management Advisory Council on Workers' Compensation is authorized under agency order by Keith Kelly, Commissioner of the Department of Labor and Industry. The project sponsor holds final approval of Advisory Council recommendations.

• Advisory Council

Responsibilities: Evaluate, discuss, request information as needed, and draw conclusions about the current system, both its strengths and areas for improvement; make recommendations to the project sponsor for legislation to be introduced in the 2009 Legislature; in addition, review legislation proposed by others during the 2007 Legislature.

• Project Manager

Project manager: Anne Wolfinger, CAPM

Responsibilities: Ensure project is executed using best practices and methodologies; manage project documentation.

• Core Team

Project core team: Jerry Keck, Keith Messmer, Diana Ferriter, Chris Catlett, Dore Schwinden, Judy Bovington, and Will Hammerquist.

Responsibilities: Provide direction and support for Advisory Council; help frame issues and discussions; provide means and structures for Advisory Council to do its work effectively.

• Project Team

Project team: Members of the Phase I project team.

Responsibilities: Respond to requests for information; conduct studies and research as requested; make presentations to Advisory Council as requested; provide support.

• Stakeholders

Stakeholders: All entities or individuals with a business or special interest in the Montana workers' compensation system.

Responsibilities: To be informed and consulted for input.

F. Roles and Responsibilities

Major Milestones	Sponsor	Advisory Council	Core Team	Project Team	Project Manager	Stakeholders
Project charter	F	C,E	E	I	E	I
2007 bill review	F	A,E	E	S	E	C
Safety topics	F	A,E	E	S	E	C
Medical topics	F	A,E	E	S	E	C
Return-to-work topics	F	A,E	E	S	E	C
Settlement topics	F	A,E	E	S	E	C
Other topics	F	A,E	E	S	E	C

Legend:

A = approval

C = must be consulted

E = responsible for execution (may be shared)

F = final approval

I = must be informed

S = responsible for information, data and technical support

G. Project Milestones

Milestone	Timeline	Evaluation Criteria
Project charter	January 2007	Project plan is accurate, comprehensive, and clearly expresses purpose and scope of project
2007 proposed legislation review	January-April 2007	Advisory Council concludes evaluation and discussion with recommendations for bill changes or with affirmation of current proposed legislation.
Safety policy review	January 2007 - September 2007	Advisory Council concludes evaluation and discussion with recommendations for policy changes or with affirmation of current policy.
Medical topics review	May 2007 – May 2008	Advisory Council concludes evaluation and discussion with recommendations for policy changes or with affirmation of current policy.
Return-to-work topics review	September 2007 – January 2008	Advisory Council concludes evaluation and discussion with recommendations for policy changes or with affirmation of current policy.
Settlement topics review	January 2008 – May 2008	Advisory Council concludes evaluation and discussion with recommendations for policy changes or with affirmation of current policy.
Other topics	To be determined	Advisory Council concludes evaluation and discussion with recommendations for policy changes or with affirmation of current policy.

H. Planning Information

Meeting Time	Safety Topics	Medical Topics	ERTW Topics	Settlement Topics	Advisory Council Topics
Jan-07	Introduction				
May-07	Discussion	Introduction			
Jul-07	Decision	Discussion			
Sep-07		Decision	Introduction		
Nov-07			Discussion		
Jan-08			Decision	Introduction	
Mar-08				Discussion	
May-08		↓		Decision	

Each topic spans three meetings:

- Introduction
- Discussion
- Motion/Public Input/Decision

Notes:

1. Medical may extend to the end
2. ERTW = early return-to-work
3. Advisory Council may include additional topics

I. Signatures

Name/Title	Signature	Date
Keith Kelly, Commissioner Department of Labor and Industry		

J. Modifications

Description	Timeline changed in G. Project Milestones and H. Planning Information to reflect bi-monthly Advisory Council meetings.	
Name/Title	Signature	Date
Jerry Keck, Administrator Employment Relations Division Department of Labor and Industry		